

REMARKS

In the above-identified Office Action the claims were all rejected as being obvious in view of the disclosures of several cited references. In response, the previously presented claims have been cancelled and replaced by five new claims directed to the same invention as the previous claims. In this regard, however, the new claims have been drafted so that the relationships between the elements thereof are expressed in a manner that is believed to be patentably distinct over the cited references.

Specifically, new independent Claim 46 requires that the receiving apparatus of the present invention is arranged to search for a preferred program among a plurality of transmitted television broadcast programs on the basis of a stored external user profile. Then, a user can select a channel of the searched preferred program using an operation unit, and the external user profile is updated, on the basis of the user's operation history of the channel selection, to be output to another receiving apparatus. Also, the apparatus is controlled to automatically delete the external user profile in accordance with the elapse of a predetermined time period as measured from a time when the external user profile was stored in the receiving apparatus.

In this connection, the invention as set forth in Claim 46 is clearly supported by the disclosure as shown by Fig. 4 and by the accompanying description thereof, as follows:

the storing unit is supported by a step S216 shown in Fig.4; the searching unit is supported by a step S218 shown in Fig.4; the operation unit is supported by steps S220 and S223 shown in Fig.4; the profile processing unit is supported by a step S227 shown in Fig.4; and the control unit is supported by steps S224 and S225 shown in Fig.4.

Referring now to the cited rejecting references, the above-described features of the present invention as required by independent Claim 46 are not disclosed in the Maissel, Dedrick, or Hendricks references. Maissel discloses that “a viewer preference profile loading apparatus 160, may be used to load a recorded viewer preference profile of another viewer, including a viewer who has used another apparatus” (Paragraph [0154]), and “Old information may be eliminated from the profile or the profile may be reset upon receipt of a signal from the television network” (e.g., Paragraph [0123]. However, this reference does not disclose or suggest the user profile unit (update and output the external user profile) functioning together with the searching unit and the operation unit as clearly recited in the new independent Claim 46. In addition, as is stated in the Office Action, Maissel does not also disclose or suggest the control unit (automatic deletion of the external user profile) functioning as clearly required in Applicants’ claims.

The Dedrick reference discloses that “The card is then ejected from the client system 12 and pocketed by the consumer, and the un-encrypted profile information in the volatile memory is deleted” (column 7 lines 62-65), and the Hendricks patent discloses “searching a program database consisting of abstracts of a multitude of programs (Col 2 lines 42-48)”. However, neither Dedrick nor Hendricks discloses the profile processing unit functioning together with the sending unit and the operation unit as recited in the new independent Claim 46.

Dependent Claim 47 has been presented to require that a receiving apparatus of the present invention is further arranged to generate a screen for inquiring of the user whether to update the external user profile on the basis of the user’s operation history of the channel selection, before the external user profile is updated. This feature of the present invention is

supported by the disclosure, for example, at step S226 shown in Fig.4 and in the accompanying description, and is not disclosed by any of the cited Maissel, Dedrick and Hendricks references.

Furthermore, new Claims 48 and 49 are method claims corresponding to new Claims 46 and 47, respectively, while new dependent Claim 50 is directed to a computer-readable medium storing a program for controlling a computer to perform the method of Claim 48. Accordingly, the above-described discussion, as applied to Claims 46 and 47, is also applicable to each of Claims 48-50.

For these various reasons it is believed that the claims as now presented are allowable over the cited references, and wherefore the issuance of a Notice of Allowance is solicited.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

The Commissioner is hereby authorized to charge fees or credit overpayment to Deposit Account No. 50-3939.

Respectfully submitted,

/John A. Krause/
John A. Krause
Attorney for Applicants
Registration No. 24,613

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200